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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,726	10/19/2001	Edward J. Shoen	12521-021	3972
48276	7590	08/23/2007		
TIFFANY & BOSCO CAMELBACK ESPLANADE II, THIRD FLOOR 2525 EAST CAMELBACK ROAD PHOENIX, AZ 85016			EXAMINER POND, ROBERT M	
			ART UNIT	PAPER NUMBER
			3625	
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			08/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/083,726

Applicant(s)

SHOEN ET AL.

Examiner

Robert M. Pond

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

All pending claims 1-21 were examined in this final office action.

Response to Arguments

Rejection of claims 11-15 and 21 under 35 USC 112 2nd and 101 is withdrawn due to amendment.

Applicant's arguments filed 29 May 2007 have been fully considered but they are not persuasive. The Examiner respectfully disagrees with the Applicant's position regarding Raveis, Jr. in combination with Gigloff. Although Raveis, Jr. does not specifically disclose payment for services, it is clear that the type of businesses involved expect to receive payment for products and services rendered. Gigloff discloses primary and secondary transactions associated with the use of an escrow account. The use of escrow accounts in making payments between two or more parties is widely known and driven by market forces to make use of the Internet while conducting business safer for all parties involved. Gigloff provides teaching pertinent to the use of an escrow settlement.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 1. Claims 1-5, 10, 11, and 16-21 are rejected under 35 USC 103(a) as being unpatentable over Raveis, JR (Paper#20051130, US 2001/0037230, which incorporates in its entirety Raveis, JR, US Patent Application 09/459,234, now US Patent 6,321,202 herein referred to as Raveis '02) in view of Gilgoff (PTO-892, Item: U).**

Raveis, JR (hereinafter Raveis) teaches a system and method of providing moving and relocating relocation services (see at least abstract; Figs. 1-5; paragraphs 0001-0014). Raveis further teaches:

- processing an originating transaction by accepting customer input requested by a host; system offers a complete explanation of truck rental service, consumer requests truck rental service (see at least Fig. 1 (24, 40), and consumer completes order form for truck rental service (see at least Fig. 2 (40-142); 0025-0034).
- enabling a customer in the computer network marketplace to access content describing an auxiliary service relating to the originating transaction; consumer can request other service information (see at least

Fig. 2 (150)) and return to main method flow as depicted in Fig. 1 and request an auxiliary service (e.g. box company service, storage service, and/or container service) (see at least Fig. 1 (3, 4, 5); 0035-0042);

- and processing a secondary transaction for the auxiliary service between the customer and a service provider wherein the service provider is listed in the marketplace at the discretion of the host, the customer input for the originating transaction is used by the host to expedite processing of the secondary transaction, consumer requests box company service, completes form, and system sends order to box company (see at least Fig. 3 (50, 252, 254); 0035); Inherent in Raveis are the structures that permit listing service providers at discretion of the host. Please note the entity that owns and/or operates the system controls what businesses are listed.
- advertising: databases for advertisers; advertising requests by customers (Raveis '202: see at least col. 6, lines 64-66).
- receiving customer feedback relating to a vendor: conducts customer surveys during a transaction (see at least Raveis '202) (i.e. once in the marketplace); conducts a post-move customer survey (i.e. application file still active) and stores the survey information (see at least Raveis: 0034).

Raveis teaches all the above as noted under the 103(a) rejection and teaches a) an originating transaction and secondary transaction, b) a business entity managing the online service providing a suite of services using third-party service

companies and vendors, c) providing customer satisfaction during the performance of third-party services being a major objective of the service, and d) facilitating revenue streams resulting from service provider costs associated with services rendered, but does not disclose facilitating escrow payments. Gilgoff teaches a company providing material and arranging third-party contractor services, and managing an escrow account. Gilgoff further teaches the company using some of the customer's payment for the products to be used (i.e. an originating transaction) and paying the contractor who does the work (i.e. a secondary transaction) by the company when the service is completed to the customer's satisfaction (i.e. protects customer's interests) (U: see pages 1 and 2). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method of Raveis to facilitate payment via an escrow account managed by the company as taught by Gilgoff, in order to ensure customer satisfaction of services rendered through the host, and thereby attract customers to the online service.

- 2. Claims 6-8 and 14 are rejected under 35 USC 103(a) as being unpatentable over Raveis (Paper# US 2001/0037230, which incorporates in its entirety Raveis, JR, US Patent Application 09/459,234, now US Patent 6,321,202) and Gilgoff (PTO-892, Item: U), as applied to claims 4 and 11, further in view of Diehl (PTO-892, Item: V).**

Raveis and Gilgoff teach all the above as noted under the 103(a) rejection and teach coordinating through the system services supporting moving and relocation comprising truck rental services, box services (i.e. box company supplying packing boxes), storage services, and storage container services, but fail to disclose other auxiliary services. Diehl teaches an online service provided by Long & Foster Real Estate that lists merchants and home service providers mortgage, insurance, title insurance, home inspection, home warranty and moving services, plus painters, electricians, landscapers and other service providers (V: see page 1). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method of Raveis and Gilgoff to provide additional access to home services as taught by Diehl, in order to attract potential movers to the service and thereby increase sales.

- 3. Claim 9 is rejected under 35 USC 103(a) as being unpatentable over Raveis (Paper#20051130, US 2001/0037230, which incorporates in its entirety Raveis, JR, US Patent Application 09/459,234, now US Patent 6,321,202) and Gilgoff (PTO-892, Item: U), as applied to claim 4, further in view of MENO (PTO-892, Item: W).**

Raveis and Gilgoff teach all the above as noted under the 103(a) rejection and teach coordinating through the system services supporting moving and relocation comprising truck rental services, box services (i.e. box company

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supplying packing boxes), storage services, and storage container services, but fail to disclose providing hotel information. MENO teaches Directmoving.com providing an extensive range of information and services to both HR professionals and relocating employees. MENO teaches individuals being able to find information on banks, doctors, travel arrangements for their pets, links to the home pages of kindergarten schools in various areas, language courses, a hotel guide and real estate information (W: see page 2). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method of Raveis and Gilgoff to provide additional access to additional relocations services and hotel information as taught by MENO, in order to attract potential movers to the service and thereby increase sales.

- 4. Claim 15 are rejected under 35 USC 103(a) as being unpatentable over Raveis (Paper#20051130, US 2001/0037230, which incorporates in its entirety Raveis, JR, US Patent Application 09/459,234, now US Patent 6,321,202 hereinafter referred to as Raveis '202) and Gilgoff (PTO-892, Item: U), as applied to claim 4, Official Notice (regarding notoriously old and well-known in the arts).**

Raveis and Gilgoff teach all the above as noted under the 103(a) rejection and teach customers using the service resulting from a real estate transaction (Ravei '2020), and b) taking a customer application for move services, but do not disclose accepting input relating to the customer from an external source to

expedite processing customer input and processing vendor input. PR Newswire teaches The Examiner takes the position that it is notoriously old and well-known in the arts for businesses to accept information from an external source when processing customer applications. For example, customer information supplied by credit bureaus are used by business to approve or disapprove customer applications. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method Raveis and Gilgoff to accept information from an external source as taught by Official Notice, in order to ascertain on-going requirements for improvement based on survey results, and thereby attract consumers and sellers to the service.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Robert M. Pond', written in a cursive style.

Robert M. Pond
Primary Examiner
August 20, 2007